REMARKS

Claims 1-18 and 21-22 are pending with the response to this Office Action. Claims 1-20 are rejected. The Applicants are canceling claims 19 and 20. The Applicants are adding claims 21 and 22.

The Applicants acknowledge the acceptance of the Terminal Disclaimer filed on April 4, 2005.

New Claims

The Applicants are adding claims 21 and 22, which are supported by the specification as originally filed. For example, the present patent application discloses (Page 35, lines 24-31.):

> The system dynamics model generates simulation results over time, based on relationships between the parameters passed into it and other variables in the system. A system dynamics object is used to integrate with Visual Basic and the spreadsheet object. The object includes logic that controls the time periods as well as read and write parameters to the system dynamics model. With Visual Basic, we can pass these parameters to and from the model via the values in the simulation object. The system dynamics object also controls the execution of the system dynamics model. What this means is that after all of the parameter inputs are passed to the system dynamics model, the engine can run the model to get the parameter outputs. The system dynamics object allows for the system dynamics models to execute one step at a time, all at once, or any fixed number of time periods.

Double Patenting

Claims 1-20 are rejected by the Office Action under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 1-19 of U.S. Patent No. 6,549,893. The Applicants filed a terminal disclaimer in a separate paper on April 4, 2005. As stated in the Advisory Action, the Examiner accepted the Terminal Disclaimer. Thus, the Applicant requests reconsideration of claims 1-18.

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Claim Rejections – 35 U.S.C. § 102

Claims 1-18 are rejected under 35 U.S.C. 102(b) as being anticipated by WO 97/44766 (Cook). The Office Action has not rejected claims 19-20 under 35 U.S.C. § 102 in the Detailed Action; however, the Applicants have cancelled claims 19-20 without prejudice. Regarding claim 1, the Applicants have amended the claim to include the elements "a synchronization source code segment comprising source code for synchronizing events n the presentation utilizing a time based model, **for presenting, to a user, a selected predetermined list of actions during each time period, and for receiving a user selection from the selected list of actions during each said time period**" and "an evaluation source code segment comprising source code for evaluating progress toward the goal and providing feedback that further motivates accomplishment of the goal utilizing the time based model to control the presentation of information **based on the user selection.**" (Emphasis added.) The amendment is supported by the specification as originally filed. For example, the present patent application discloses (Page 38, top entry of table.):

> Time based simulation where student "chooses own adventure". Each period the
> student selects from a pre-determined list of actions to take. Developed on SBIC
> as a simplified version of the BDM manage task.

Cook fails to teach or even suggest the above elements. Thus, claim 1 is <u>not</u> anticipated by Cook.

Similarly, the Applicants have amended claim 10 to include "logic that synchronizes events in the presentation utilizing a time based model, that presents, to a user, a selected predetermined list of actions during each time period, and that receives a user selection from the selected predetermined list of actions during each said time period' and 'logic that provides feedback, responsive to a progress indication, that further motivates accomplishment of the goal utilizing the time based model to control the presentation of information based on the user selection." Claims 2-9 and 11-18 ultimately depend from independent claims and 1 and 10 and

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are not anticipated for at least the above reasons. The Applicant requests reconsideration of claims 1-18.

Regarding claims 8 and 17, in addition to the above discussion, the Office Action alleges that Cook anticipates an interface source code segment comprising source code for passing information from the presentation to an expert system to analyze the information and formulate the appropriate feedback utilizing time as a variable for analysis (Cook, p 1, 5-8; p 7, 11-16; p 7, l 19-29; EN: such is interaction ... feedback)." Even though Cook discusses feedback, Cook does not teach "an interface code segment comprising source code for passing information from the presentation to an expert system to analyze the information and **formulate the appropriate feedback utilizing time as a variable for analysis.**" (Emphasis added.) Cook does teach (Page 7, lines 19-29):

> An important object of this invention is to provide the student with a virtual tutor, by having agent software ("agent") adapted to each student that offers a high quality of individualized student interaction and that manages or controls instruction in a manner approximating a real tutor. The agent exercises management or control over the computer-assisted instruction materials and provides information and help to the student, both synchronously and asynchronously to particular instructional materials. Agent behaviors are sensitive to both the educational context and to the history of student behavior.

Cook fails to formulate feedback <u>utilizing time as a variable for analysis</u>. In fact, Cook's teachings do not analyze time at all.
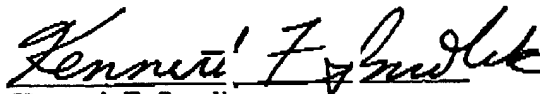
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It is respectively submitted that the present application is in condition for allowance, and

a Notice to that effect is earnestly solicited.

Respectfully submitted,

Date: June 3, 2005

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